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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. CR 22-00168-001 WHO
Plaintiff,	)	
v.	)	<b>WRIT OF CONTINUING GARNISHMENT</b>
MIKLOS DANIEL BRODY,	)	
Defendant,	)	(FINANCIAL ACCOUNT)
_____	)	
CHARLES SCHWAB & CO., INC, AS	)	
SUCCESSOR IN INTEREST TO TD	)	
AMERITRADE, INC.,	)	
Garnishee.	)	
_____	)	

TO: Charles Schwab & Co., Inc.  
 Legal Services (DFW1-02-886)  
 3000 Schwab Way  
 West Lake, TX 76262

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1           **YOU ARE HEREBY COMMANDED TO GARNISH FOR THE BENEFIT OF THE**  
2 **UNITED STATES OF AMERICA PROPERTY IN YOUR POSSESSION IN WHICH THE**  
3 **DEFENDANT-JUDGMENT DEBTOR HAS A SUBSTANTIAL NONEXEMPT INTEREST.**

4           The name, last known address, and last four digits of the social security number of the person  
5 who is the defendant-judgment debtor (“defendant”) in this action and whose property is subject to this  
6 Writ are, as follows:

7                               Miklos Daniel Brody – Reg. No. 34873-509  
8                               Lompoc USP – U.S. Penitentiary  
9                               3901 Klein Blvd.  
10                              Lompoc, CA 93436

11                             Social Security Number (last four digits): XXX-XX-8796

12           This Writ has been issued at the request of the United States of America to enforce the collection  
13 of a criminal judgment entered in favor of the United States against the defendant for a debt in the  
14 original amount of \$530,566.37. As of March 26, 2024, there is a balance of \$409,835.81 due on the  
15 judgment debt, comprised of \$300.00 in assessment, \$1,000.00 in fine, and \$529,266.37 in restitution  
16 principal. Interest accrues on the restitution principal at the rate of 4.88%. The United States seeks to  
17 recover this amount plus the statutorily authorized litigation surcharge of ten percent (10%) of the  
18 unpaid restitution balance (\$40,983.58). 28 U.S.C. § 3011(a). Thus, the total amount sought by this  
writ is \$450,819.39.

19           The following are the steps that you must take to comply with this Writ. If you have any  
20 questions, you should consult with your attorney.

21           1. Pursuant to 28 U.S.C. § 3205(c)(2)(F), if you have in your custody, control, or possession  
22 any property of the defendant in which the defendant has a substantial nonexempt interest, or if you  
23 obtain custody, control, or possession of such property while this Writ is in effect, you must  
24 immediately withhold such property from the defendant and retain it in your possession until you  
25 receive instructions from the Court which will tell you what to do with the property.

26           2. Pursuant to 28 U.S.C. § 3205(c)(2)(E), you are required to answer this Writ within **10**  
27 **days** after service of this Writ upon you. You must answer the Writ even if you do not have in your

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1 custody, control, or possession, any property of the defendant. Pursuant to 28 U.S.C. § 3205(c)(4), your  
2 answer must state, under oath, the following information:

- 3 a. Whether or not you have in your custody, control, or possession, any property  
4 owned by the defendant in which the defendant has a substantial nonexempt  
5 interest;  
6 b. a description of such property and the value of such property;  
7 c. a description of any previous garnishments to which such property is subject and  
8 the extent to which any remaining property is not exempt; and  
9 d. the amount of the debt you anticipate owing to the defendant in the future and  
10 whether the period for payment will be weekly or another specified period.

11 For your convenience, a form which addresses the above-requested information is attached and  
12 may be used to answer the Writ.

13 3. After you complete the answer under oath, pursuant to 28 U.S.C. § 3205(c)(2)(E) and  
14 (c)(4), **within ten (10)** days after service of this Writ upon you, you must **mail or deliver** the original  
15 answer bearing the original signature of the person preparing the answer to the Court at the following  
16 address:

17 Clerk, United States District Court  
18 450 Golden Gate Ave., Box 36060  
San Francisco, CA 94102

19 At the same time you mail or deliver the original answer to the Court, you must also **mail or**  
20 **deliver** a copy of the original answer to both the defendant and attorney for the United States at the  
21 following respective addresses:

22 Miklos Daniel Brody – Reg. No. 34873-509  
23 Lompoc USP – U.S. Penitentiary  
3901 Klein Blvd.  
24 Lompoc, CA 93436

25 Shining J. Hsu  
26 Assistant U.S. Attorney  
450 Golden Gate Avenue, 9th Floor  
27 P.O. Box 36055  
San Francisco, CA 94102  
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1 Please note that the attached answer form contains a **certificate of service** which needs to be  
2 completed by the person mailing the copies of the answer to the defendant and the attorney for the  
3 United States, and which needs to be filed with the Court along with the answer.

4 **IF YOU FAIL TO ANSWER THIS WRIT OR FAIL TO WITHHOLD PROPERTY IN**  
5 **ACCORDANCE WITH THIS WRIT, THE UNITED STATES MAY PETITION THE COURT**  
6 **FOR AN ORDER REQUIRING YOU TO APPEAR BEFORE THE COURT TO ANSWER THE**  
7 **WRIT AND TO WITHHOLD PROPERTY IN ACCORDANCE WITH THE WRIT BEFORE**  
8 **THE APPEARANCE DATE. IF YOU FAIL TO APPEAR OR DO APPEAR AND FAIL TO**  
9 **SHOW GOOD CAUSE WHY YOU FAILED TO COMPLY WITH THIS WRIT, THE COURT**  
10 **WILL ENTER A JUDGMENT AGAINST YOU FOR THE VALUE OF THE DEFENDANT'S**  
11 **NONEXEMPT INTEREST IN SUCH PROPERTY (INCLUDING NONEXEMPT DISPOSABLE**  
12 **EARNINGS). THE COURT MAY ALSO AWARD A REASONABLE ATTORNEY'S FEE TO**  
13 **THE UNITED STATES AND AGAINST YOU IF THE WRIT IS NOT ANSWERED WITHIN**  
14 **THE TIME SPECIFIED HEREIN AND IF THE UNITED STATES FILES A PETITION**  
15 **REQUIRING YOU TO APPEAR.**

16 MARK B. BUSBY,  
17 Clerk of Court  
18 United States District Court  
19 for the Northern District of California

20 Dated: 04/15/2024

21 By: Esmeralda Lopez  
22 Deputy Clerk  
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